

30303, telephone: (404) 562-3651; Mr. Tony Dittmeier, Transportation Specialist, Federal Transit Administration, 61 Forsyth Street, SW., Suite 17T50, Atlanta, Georgia 30303, telephone (404) 562-3512; Mr. Harvey Keepler, State Environmental/Location Engineer, Georgia Department of Transportation, 3993 Aviation Circle, Atlanta, Georgia 30336, telephone: (404) 699-4400; or Mr. Marvin Woodward, Director of Projects and Planning, Georgia Regional Transportation Authority, 245 Peachtree Center Avenue, NE., Suite 900, Atlanta, Georgia 30303, telephone: (404) 463-3099.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Georgia Department of Transportation (GDOT), the Federal Transit Administration (FTA), and the Georgia Regional Transportation Authority (GRTA), will prepare an EIS on a proposal to extend High Occupancy Vehicle (HOV) lanes along Interstate 75 and 575 (I-75 and I-575). The HOV lanes would be extended on I-75 from Akers Mill Road to Wade Green Road. HOV lanes would also be constructed on I-575 from the I-75/I-575 Interchange to Sixes Road in Cherokee County. The proposed HOV lanes would accommodate the implementation of a Bus Rapid Transit (BRT) system with various transit stations along the I-75 corridor. Various design alternatives for both the HOV lanes and the BRT system will be studied.

In the May 15, 2003 **Federal Register** (volume 67, number 94), a notice of intent was issued by the FTA, in cooperation with the GRTA, to advise agencies and the public that an Alternatives Analysis (AA)/EIS was going to be prepared for a proposed transportation improvement in the metropolitan Atlanta region's northwest corridor. During the development of that AA by GRTA, it was determined that the appropriate course of action was to jointly develop a transportation improvement project with GDOT. A Locally Preferred Alternative (LPA) has been adopted by GDOT and GRTA and an EIS will be prepared based on that LPA.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public meetings and a public hearing will be held. The draft EIS will be available for public and agencies review and comments prior to the public hearing. To ensure that the full range of issues

related to this proposed project is addressed and all significant issues identified, formal scoping will be initiated. Additionally, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. Georgia's approved clearinghouse review procedures apply to this program.)

Issued on: March 9, 2004.

**Walter E. Boyd,**

*Urban Transportation Engineer, FHWA, Atlanta, Georgia.*

[FR Doc. 04-5741 Filed 3-12-04; 8:45 am]

**BILLING CODE 4910-22-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Agency Information Collection Activities

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice of OMB approvals.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.5(b), this notice announces that new information collections requirements (ICRs) listed below have been approved by the Office of Management and Budget (OMB). These ICRs pertain to 49 CFR part 214. Additionally, FRA hereby announces that other ICRs listed below have been re-approved by the Office of Management and Budget (OMB). These ICRs pertain to parts 207, 209, 210, 212, 214, 215, 217, 218, 221, 223, 228, 232, 234, and 236. The OMB approval numbers, titles, and expiration dates are included herein under supplementary information.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Debra Steward, Office of Information Technology and Productivity Improvement, RAD-20, Federal Railroad Administration, 1120 Vermont Ave., NW., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6139). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104-13, sec. 2, 109

Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR part 1320, require Federal agencies to display OMB control numbers and inform respondents of their legal significance once OMB approval is obtained. The following new FRA information collections were approved: (1) OMB No. 2130-0539, Railroad Worker Protection: Roadway Maintenance Machines (49 CFR Part 214) (Final Rule). The expiration date for this information collection is February 28, 2007. (2) OMB No. 2130-0558, Work Schedules and Sleep Patterns of Railroad Signalmen (Forms FRA F 6180.107/108). The expiration date for this information collection is October 31, 2006.

The following information collections were re-approved: (1) OMB No. 2130-0008, Inspection Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment (Power Brakes and Drawbars) (Part 232). The new expiration date for this information collection is January 31, 2007. (2) OMB No. 2130-0017, U.S. DOT Crossing Inventory Form (Form FRA F 6180.71). The new expiration date for this information collection is July 31, 2006. (3) OMB No. 2130-0506, Identification of Cars Moved in Accordance with Order 13528). The new expiration date for this information collection is July 31, 2006. (4) OMB No. 2130-0526, Control of Alcohol and Drug Use in Railroad Operations (Part 219)(Forms FRA F 6180.73/74/94A/95B). The new expiration date for this information collection is February 28, 2007. (5) OMB No. 2130-0537, Railroad Police Officers (Part 207). The new expiration date for this information collection is September 30, 2006. (6) OMB No. 2130-0006, Railroad Signal System Requirements (Part 236) (Forms FRA F 6180.14/47). The new expiration date for this information collection is October 31, 2006. (7) OMB No. 2130-0502, Filing of Dedicated Cars (Part 215). The new expiration date for this information collection is September 30, 2006. (8) OMB No. 2130-0516, Remotely Controlled Operations (Part 218). The new expiration date for this information collection is October 31, 2006. (9) OMB No. 2130-0519, Bad Order and Home Shop Card (Part 215). The new expiration date for this information collection is September 30, 2006. (10) OMB No. 2130-0520, Stenciling Reporting Mark (Part 215). The new expiration date for this information collection is September 30, 2006. (11) OMB No. 2130-0527, Locomotive Certification (Noise Compliance

Regulations) (Part 210). The new expiration date for this information collection is September 30, 2006. (12) OMB No. 2130-0529, Disqualification Proceedings (Part 209). The new expiration date for this information collection is October 31, 2006. (13) OMB No. 2130-0534, Grade Crossing Signal System Safety (Part 234) (Form FRA F 6180.83). The new expiration date for this information collection is September 30, 2006. (14) OMB No. 2130-0035, Railroad Operating Procedures (Part 217). The new expiration date for this information collection is September 30, 2006. (15) OMB No. 2130-0523, Rear-End Marking Devices (Part 221). The new expiration date for this information collection is September 30, 2006. (16) OMB No. 2130-0535, Bridge Worker Safety Rules (Part 214). The new expiration date for this information collection is September 30, 2006. (17) OMB No. 2130-0509, State Safety Participation Regulations and Remedial Actions (Part 212) (Forms FRA F 6180.33/61/67/96/96A/109/110/111/112). The new expiration date for this information collection is November 30, 2006. (18) OMB No. 2130-0525, Certification of Glazing Materials (Part 223). The new expiration date for this information collection is November 30, 2006. (19) OMB No. 2130-0005, Hours of Service Regulations (Part 228) (Form FRA F 6180.3). The new expiration date for this information collection is December 31, 2006. (20) OMB No. 2130-0551, Regional Inspection Point Listing Forms. (Forms FRA F 6180.106(A)-(E)) The new expiration date for this information collection is January 31, 2007.

Persons affected by the above referenced information collections are not required to respond to any collection of information unless it displays a currently valid OMB control number. These approvals by the Office of Management and Budget (OMB) certify that FRA has complied with the provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and with 5 CFR 1320.5(b) by informing the public about OMB's approval of the information collection requirements of the above cited forms and regulations.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC, on March 9, 2004.

**Maryann Johnson,**

*Acting Director, Office of Information Technology and Support Systems, Federal Railroad Administration.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA 2003-16464; Notice 2]

#### The Goodyear Tire & Rubber Company, Grant of Petition for Decision of Inconsequential Noncompliance

The Goodyear Tire & Rubber Company (Goodyear) has determined that certain tires it manufactured from 1998 to 2003 do not comply with S6.5(f) of Federal Motor Vehicle Safety Standard (FMVSS) No. 119, "New pneumatic tires for vehicles other than passenger cars." Pursuant to 49 U.S.C. 30118(d) and 30120(h), Goodyear has petitioned for a determination that this noncompliance is inconsequential to motor vehicle safety and has filed an appropriate report pursuant to 49 CFR part 573, "Defect and Noncompliance Reports." Notice of receipt of a petition was published, with a 30-day comment period, on December 3, 2003, in the **Federal Register** (68 FR 67739). NHTSA received no comments.

S6.5(f) of FMVSS No. 119 requires that each tire shall be marked on each sidewall with "the actual number of plies." Goodyear produced 37,980 LT265/75R16 Wrangler RT/s LR-E tires during the period from February 1, 1998 to May 31, 2003, which do not comply with FMVSS No. 119, S6.5(f). These tires were marked with 3 plies in the sidewall while there were actually 2 plies in the sidewall.

Goodyear stated that this error occurred when these tires replaced the previous tires that had 3 plies in the sidewall. The new tires were changed to 2 plies but the mold drawing and specification were not revised to reflect this change.

Goodyear believes that this noncompliance is inconsequential to motor vehicle safety because the tires meet or exceed all applicable FMVSS performance standards, and all markings related to tire service (load capacity, corresponding inflation pressure, load range, etc.) are correct. Goodyear asserts that the mislabeling noted above creates no unsafe condition.

The agency agrees with Goodyear's statement that the incorrect designation of 3 plies when there were actually 2 plies on each tire does not present a serious safety concern. The agency believes that the true measure of inconsequentiality to motor vehicle safety in this case is that there is no effect of the noncompliance on the operational safety of vehicles on which

these tires are mounted. The safety of people working in the tire retread, repair, and recycling industries must also be considered.

Although tire construction affects the strength and durability, neither the agency nor the tire industry provides information relating tire strength and durability to the number of plies and types of ply cord material in the tread and sidewall. Therefore, tire dealers and customers should consider the tire construction information along with other information such as the load capacity, maximum inflation pressure, and tread wear, temperature, and traction ratings, to assess performance capabilities of various tires. In the agency's judgment, the incorrect labeling of the tire construction information will have an inconsequential effect on motor vehicle safety because most consumers do not base tire purchases or vehicle operation parameters on the number of plies in a tire.

The agency believes the noncompliance will have no measurable effect on the safety of the tire retread, repair, and recycling industries. The use of steel cord construction in the sidewall and tread is the primary safety concern of these industries. In this case, since the tire sidewalls are not of steel cord construction, but are actually polyester, this potential safety concern does not exist.

In addition, the tires are certified to meet all the performance requirements of FMVSS No. 119. All other informational markings as required by FMVSS No. 119 are present. Goodyear has also corrected the problem.

In consideration of the foregoing, NHTSA has decided that the petitioner has met its burden of persuasion that the noncompliance described is inconsequential to motor vehicle safety. Accordingly, Goodyear's petition is granted and the petitioner is exempted from the obligation of providing notification of, and a remedy for, the noncompliance.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8)

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

[FR Doc. 04-5744 Filed 3-12-04; 8:45 am]

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